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THE ANTHRACITE COAL STRIKE OF 1922

*A Statement of Its Causes
and Underlying Purposes*

Submitted on Behalf of the General Policies Committee
of Anthracite Operators to the United States
Coal Commission, April 13, 1923



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The Anthracite Coal Strike of 1922

For over a decade the United Mine Workers of America has adopted the objective that all of its agreements "all over the United States—be made to expire on the same date," so that "we would be able to ask and maintain our demands as a whole all at the same time." This was at last accomplished and President Lewis in the latter part of 1921 reported to the National Convention of the union as follows:

"It will be noted that for the first time in the history of our organization there is a uniform date of expiration affecting all agreements in both the anthracite and bituminous industry. This is a goal long hoped for by the great majority of our membership and its practical consummation may be regarded as an achievement of no mean consequence. The full measured influence and economic power of our great membership may thus be utilized to the advantage of our people for the achievement of our ideals."

If this objective and this official report of the union President meant anything, it forecasted a simultaneous shutdown of anthracite and bituminous operations on the expiration of all agreements March 31, 1922. Accordingly, on March 20th, 1922, the union issued a national suspension order "directing all members of the organization employed in and around the anthracite and bituminous coal-producing districts to discontinue work and cease the production of coal at midnight on Friday, March 31st,

1922." This action meant a stoppage of production of 100% of the anthracite and 60% of the bituminous coal. It was followed by a further order of the Strike Policy Committee directed against the remaining 40% of the bituminous coal produced by non-union operators.

"The officers of all districts are hereby instructed by this Policy Committee to immediately issue a call to all adjacent non-union fields. . . . All power and influence of the International and District Unions shall be exerted to bring about a strike in the non-union coal fields of America."

When this strike was ordered no final issue had been reached with the anthracite operators or the great majority of union bituminous operators, and it is obvious that there was no pending issue with non-union operators.

The suspension order was about 90% sympathetic. The United Mine Workers of America had a dispute with the bituminous operators of Southern Ohio and Western Pennsylvania, claiming that these operators had broken their agreement by refusing to negotiate a new interstate contract. These operators produced about 10% of the nation's coal supply, but because of their refusal the United Mine Workers of America undertook a vast sympathetic strike, maintained over five months, to deprive the public of all coal until such time as these producers, over which the balance of the coal industry had no con-

trol and little influence, would concede the union demands.

Many union operators in various states wished to make terms and proceed with operations, but the union declared its unwillingness even to discuss terms with them because resumption of operations on their part would give much needed coal to the public. President Frank Farrington of District 12 of the United Mine Workers in Illinois, desired to make an agreement with the Illinois operators who were seeking an agreement, but was forbidden to do so by the Strike Policy Committee of the United Mine Workers. The one attempt to produce coal in that state led to Herrin. Other union operators in other states desired to make terms and produce coal, but the national union refused to negotiate. Not even a temporary agreement was permitted. The public suffering must be sharpened. The United Mine Workers predicted a fuel famine in six weeks. In the latter part of May its officers issued a statement saying: "The suspension of work in the mining industry by more than six hundred thousand men may be rightfully termed a domestic calamity. A full realization of its import has not yet dawned upon the American people. Accumulated coal reserves of the country are being rapidly diminished and the much-heralded non-union production is totally inadequate to care for the nation's needs. . . . A national coal famine is impending," etc.

The mere appeal to non-union miners to join the strike being ineffective, "all power and influence of the international and District Unions" was exerted and non-union producers were attacked by disorder and agitation, with the result that the national union claimed over 114,000

men were brought out on strike in the non-union fields. If this were true it meant a stoppage of over a half of the non-union output. These non-union operators were in the same predicament as most of the union operators. They were not parties to any dispute. There was no kind of settlement and no conceivable concessions which would permit them to continue operations without interference until the operators of Southern Ohio and Western Pennsylvania, over whom the non-union operators had no control, should yield to the union demands. The coal famine must be complete. The President of the United States in his address to a joint session of the two Houses of Congress on August 18, 1922, confirms these conclusions:

"Governors in various States reported that their operators and miners had no dispute and were eager to resume production. District leaders informed me that their workmen were anxious to return to their jobs but that they were not permitted to do so. Hundreds of wives of workmen have addressed the White House, beseeching a settlement, alleging that they knew no grievances," etc.

The same was true of the anthracite industry. Under some pretense or other it also must be paralyzed. A supply of anthracite would make a dent in the fuel famine and that must not be.

The Union foresaw what this meant. As early as July, in speaking of anthracite, it declared: "An actual famine exists." It spoke of the indications "that users of anthracite are in for a serious time next winter."

The story as to how the Anthracite industry was needlessly drawn into the vortex of this national movement, is convincing in every detail.

ANTHRACITE NEGOTIATIONS INTERRUPTED BY STRIKE

In February, 1922, arrangements were made for a meeting on March 15th between the anthracite operators and the United Mine Workers to negotiate a new agreement which should take the place of the agreement expiring March 31st. The operators expressed regret that such a late date had been set by the Miners "as to render our negotiations hurried." The parties thus commenced their negotiations sixteen days before the expiration of the agreement, at which time the union presented some nineteen demands, formulated at their Shamokin Convention. The fact that a strike had already been agreed upon was at first withheld by the union.

On March 17th, while these negotiations were continuing, the operators presented their reply to the union demands, stating their willingness to negotiate the issues thus framed, and a joint sub-committee was named to take up the consideration of a new wage scale. On March 21st, at the first meeting of these sub-committees, Mr. Lewis announced a national suspension order had already been issued on March 20th, directing all members including the anthracite workers, "to discontinue work and cease the production of coal at midnight on Friday, March 31st, 1922." For the first time he disclosed the fact that at the same Shamokin Convention, where the demands previously presented had been formulated, the Scale Committee had been instructed "to perfect arrangements providing for a suspension of mining on April 1, 1922, in the event that no satisfactory agreement has been arrived at as of that date."

Thus, before the old agreement expired, while negotiations for a new

agreement were in their early stages, before any ultimatum had been issued by either party, after a joint sub-committee to negotiate a wage scale had been appointed, but before it met, a needless strike was deliberately called, as a predetermined act. The entire period for negotiation of a new agreement before the expiration of the old agreement was only sixteen days and but five days had passed without any crisis being reached when the strike order was issued without warning. How long before that the strike order had become a matter of settled policy cannot by us be stated. The operators vigorously protested this breach of faith on the part of the miners' organization, but were informed that the strike order had already been mailed and could not be recalled.

The door to peaceful adjustment was thus barred by a predetermined strike. The practice in previous years had been to operate the mines without a suspension—in one case for four months—after the expiration of the old agreement and pending negotiation of a new one, upon the understanding that the new agreement would be retroactive. In 1922 the union did not even wait until the expiration of the old agreement.

The evidence is clear that negotiations were not being carried on sincerely and that there was no thought in the minds of the union leaders of reaching an agreement or avoiding a strike. The public must have no coal.

ALL PROPOSALS FOR SETTLEMENT REJECTED

Following this wanton injury to the public and the industry, the operators patiently continued negotiations. They asked for a five-year

agreement with machinery for the yearly adjustment of wages by the peaceful means of conciliation and arbitration. The union leaders flatly refused to discuss the operators' proposals. They said that such a plan would destroy collective bargaining although it explicitly provided for arbitration only after collective bargaining had failed. The operators then proposed a commission named by the President to arbitrate all issues. That was declined. On July 10th the President of the United States, concerned over the situation, called the parties to Washington and at a meeting in the White House, over which he personally presided, urged that the parties arbitrate. "The anthracite operators," reported the President, "promptly accepted the entire proposal. The mine workers refused to resume work under the arbitration proposal."

Early in August a Committee of Mayors of six anthracite cities attempted mediation. The operators expressed their willingness to negotiate by direct conference, but the union officers took the position it would be impossible to resume anthracite meetings until the pending conference with bituminous operators was over. The Scranton Board of Trade passed resolutions "that if a direct and immediate settlement is not arrived at, arbitration should be at once invoked to solve the anthracite problem and that in the meantime operators and miners should agree to resume mining operations and expedite the production of coal which the people need and have the right to demand." Similar resolutions were adopted elsewhere in the region and the anthracite operators replied to them stating: "Your resolutions are eminently sound in principle, in that if there should be a con-

tinued failure to agree, the principle of arbitration should be at once invoked." The Scranton Board of Trade wired the president of the U. M. W. of A. on August 10th and he replied stating his willingness to attend a joint conference.

In the meanwhile, President Harding again intervened through a letter to Senator Pepper on August 12th, stating: "If there is any further delay we shall be in danger of nothing short of nation-wide disaster." A meeting was then arranged between the operators and the representatives of the miners which continued, with adjournments, from August 17th to 22nd.

At that conference the union leaders rejected every suggestion for a peaceful adjustment. Again they stated their unalterable opposition to arbitration. The operators then proposed that the existing and familiar machinery of the Conciliation Board, which had been operating in the industry for twenty years, be employed, and if this Conciliation Board, which is composed of operators and union officials, could not agree, the issue be left to three umpires. That proposal was declined. In a final effort to avoid the union's opposition to binding arbitration, the operators proposed to resume operations at the old rate and allow the Conciliation Board to meet for the purpose of determining conditions for the year following April 1st, 1923. If that Board could not reach an agreement, three umpires should hear the case and make recommendations which were not to be binding on either party. This proposal was also rejected by the union. That conference bore no fruit.

In the meanwhile the only real obstacle to resumption in the anthracite industry was being removed by the

break in the bituminous deadlock. Mr. John Lewis admitted this in published statements. This attitude, which made the anthracite strike dependent on the bituminous, was a breach of faith, for as recently as 1920, before the Wilson Commission, the union had declared that the anthracite industry would be kept autonomous and need not fear domination by the bituminous workers.

The bituminous strike being settled, early in September at the special instance of the President of the United States, the miners agreed with the operators to resume at the old wage scale until August 31, 1923, and to recommend that congress create a fact-finding commission to make recommendations which would throw light on the terms to be agreed upon for the future.

"COERCION BY PUBLIC PRIVATION"

This is the story of the national crisis which brought this Commission into being, and the inferences to be drawn from it are momentous. A fuller statement of it with the documents involved will be found in the pamphlet submitted entitled "The Anthracite Strike of 1922." Throughout these trying days the operators were fighting for the principle of settlement by reason, and the mine workers were fighting for a settlement by force. The operators stood for arbitration in an industry of great public importance. The miners stood for coercion by public privation. *In the end the demands of a frightened public, supported by the urgings of public officials, led to a sacrifice of the principle in order that the public might have coal.*

Unless that chapter of history can be reversed, unless the Commission

can find some remedy whereby force can be dethroned and reason recognized as ruler, there is no salvation for the anthracite industry. Nearly all other questions are subordinate to this. It is not as a wage-adjusting body that this Commission can best serve its country but in establishing durable and workable machinery for the adjustment by peaceful methods of all differences that may hereafter arise and the elimination of industrial warfare.

This national hold-up, by refusing to negotiate with willing union operators with whom there was no dispute, by disrupting non-union operations, by avoiding an anthracite settlement, by flouting the President of the United States, and by refusing to arbitrate, had for its purpose the attainment of its ends by ruthlessly inflicting injury on the public, in flagrant violation of the Federal Anti-Trust laws. The refusal to permit the resumption of coal production by the producers of 90% of the nation's coal supply, on any terms within the reach of the parties, was not to bring pressure on these producers to grant more concessions, but to starve the public into submission through a protracted coal famine.

The purpose to extend the power of the United Mine Workers by international combinations to deprive the American people of coal, is clear if the report from London under date of April 12, 1923, is true, that President Lewis has offered a resolution before the Executive Committee of the International Federation of Miners declaring "In case of strike all means should be taken to prevent export of coal to country involved in strike."

To be sure the program of the 1922 strike was not 100% successful, be-

cause many non-union bituminous mines under the protection of the government and injunctions continued to operate, but, nevertheless, for a period of five months the bituminous stoppage was about 60% effective and the anthracite stoppage 100% effective. The lost production in coal exceeded two hundred million tons. The total losses to everybody must have reached a billion dollars. Physical suffering was felt through the ensuing winter. It is not strange, therefore, that in the fifth month of the strike the President of the United States reported to a joint session of Congress on August 18th, 1922:

"The simple but significant truth was revealed that except for such coal as comes from the districts worked by nonorganized miners, the country is at the mercy of the United Mine Workers."

The strike is a legitimate weapon to drive an economic bargain with a selfish employer, but there is no moral

right, and should be no legal right, to organize strikes or lockouts in basic industries or transportation where disinterested agencies for adjustment and adjudication are available. A national combination, controlling coal production, whether it be of employers or employees, which disregards the public interests and wilfully seeks to produce a coal famine by refusing to arbitrate industrial disputes, deserves correction and regulation at the hands of government. A government which is unafraid can do no less than meet this issue. If society has a right to protect itself against abuses in the coal industry, here is occasion to act. If this major problem goes unremedied, there is no consistency in proposing remedies for minor problems.

Respectfully submitted,

WALTER GORDON MERRITT,
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